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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,106	11/19/2001	Naoyuki Oe	2985.1000	8073
5514	7590	11/14/2005		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER GILLIS, BRIAN J	
			ART UNIT 2141	PAPER NUMBER

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/988,106	OE ET AL.	
	Examiner	Art Unit	
	Brian J. Gillis	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2001 and 26 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) 2,11,20 and 29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,12-19,21-28 and 30-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 37, 39, 41, and 43 are rejected under 35 U.S.C. 102(b) as being anticipated by Hunnicutt et al (US Patent #5,889,952).

(Claims 37, 39, 41, and 43 disclose) an apparatus, method, storage medium, and program connected to another terminal through a communication network, comprising: a determination step of determining whether an access right is present for computer resource(s) in the information processing apparatus, which is designated by an operation request for the computer resource intercepted by the other terminal before access to the computer resource (Hunnicutt et al teaches of a check system on the server which determines if there is an access permission that allows the requesting user access (column 5, lines 54-58, figure 1).); a processing step of, if it is determined in said determination step that the access right is present, transferring the operation request to an operating system in the other terminal and returning a result from the operating system to a process in the other terminal; (Hunnicutt et al teaches if a matching access permission exists then access to the file is granted (column 5, lines 58-61, figure 1).); and a denial step of denying the operation request if it is determined in said determination step that no access right is present (Hunnicutt et al teaches if no

permission is granted an error message is generated to the user denying access (figure 5)).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, 6, 10, 12, 13, 15, 19, 21, 22, 24, 28, 31-36, 38, 40, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunnicutt et al (US Patent #5,889,952) in view of Pereira (US Patent #5,809,230).

Claims 1, 10, 19, and 28 disclose an information processing method, apparatus, storage medium, and program of controlling access to computer resource(s) managed by an operating system, such as a file, network, storage device, display screen, or external device, comprising: an interception step of intercepting, between a process and an operating system, an operation request for a computer resource managed by the operating system, which is issued toward the operating system from the process; a determination step of determining whether an access right for the computer resource designated by the operation request intercepted in the said interception step is present; a processing step of, if it is determined in said determination step that the access right is present, transferring the operation request to the operating system and returning a result from the operating system to the process; and a denial step of denying the operation request if it is determined in said determination step that no access right is

present. Hunnicutt et al teaches of a check system which determines if there is an access permission that allows the requesting user access (column 5, lines 54-58), if a matching access permission exists then access to the file is granted (column 5, lines 58-61), and if no permission is granted an error message is generated to the user denying access (figure 5). It fails to teach of an interception step of trapping a request between a process and an operating system for a computer resource managed by the operating system. Pereira teaches of an access control, which intercepts a request for a directory or a port before determining whether to grant access (column 10, lines 5-10).

Hunnicutt et al and Pereira are analogous art because they are both related to providing access to computer resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the interception in Pereira with the system in Hunnicutt et al because a user is limited to a set of resources and the user is not informed of the resources not available (column 3, lines 45-55).

Claims 3, 12, and 21 disclose the method, apparatus, and storage medium according to claims 1, 10, and 19, wherein said determination step, includes determining whether the access right is present by looking up an access right management table containing resource designation information that designates a specific computer resource, condition information under which the access right is validated, and access right information that designates an access right that is extended but not defined in an existing environment. Hunnicutt et al further teaches of an access control list, which can be associated to a single file, or a list of files. The list contains

which users have access and what types of rights are allowed to the specific user (column 4, lines 44-49, column 5, lines 15-19, figure 3).

Claims 4, 13, and 22 disclose the method, apparatus, and storage medium according to claims 1, 10, and 19 wherein said determination step, includes determining whether the access right is present by looking up access right information that is described in the computer resource to designate an access right that is extended but not defined in an existing environment. Hunnicutt et al further teaches of a decision block, which operated to determine if an access control list of the requested file-object permits the access by the requested user (column 8, lines 41-46).

Claims 6, 15, and 24 disclose the method, apparatus, and storage medium according to claims 3 or 4, 12 or 13, and 21 or 22, wherein the access right information contains information that designates at least one of a right to move to another medium, a right to copy to another medium, a right to print, a right to write to a shared memory, a right to capture a screen, and a right to restrict use processes. Hunnicutt et al further teaches of an access control list, which each file objected has associated with it. The list contains access control entries, which defines what type of access the user has, one option is full control, which allows manipulation in any way possible (column 4, lines 63-67).

Claim 31 discloses the program according to claim 28, wherein the computer resource includes contents of a Web cast, digital broadcasting, and music distribution. Hunnicutt et al further teaches of the resources being on a file level which means each file object stored on a server (column 4, lines 44-49, 56-57).

Claims 32, 33, 34, and 35 disclose a system, control method, storage medium, and program for an information processing system constituted by connecting first and second terminals through a communication network, comprising: an interception step of intercepting, between a process and operating system, an operation request for a computer resource managed by the second terminal, which is issued toward the operating system from the process, and a determination step of determining, in the second terminal, whether an access right for the computer resource designated by the operation request intercepted in said interception step is present; a processing step of, if it is determined in said determination step that the access right is present, transferring the operation request to the operating system in the first terminal and returning a result from the operating system to the process in the first terminal; and a denial step of denying the operation request if it is determined in said determination step that no access right is present. Hunnicutt et al teaches of a check system on the server which determines if there is an access permission that allows the requesting user access (column 5, lines 54-58, figure 1), if a matching access permission exists then access to the file is granted (column 5, lines 58-61, figure 1), and if no permission is granted an error message is generated to the user denying access (figure 5). It fails to teach of an interception step of trapping a request between a process and an operating system for a computer resource managed by the operating system. Pereira teaches of an access control, which intercepts a request for a directory or a port before determining whether to grant access (column 10, lines 5-10).

Hunnicut et al and Pereira are analogous art because they are both related to providing access to computer resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the interception in Pereira with the system in Hunnicutt et al because a user is limited to a set of resources and the user is not informed of the resources not available (column 3, lines 45-55).

Claims 36, 38, 40, and 42 disclose an apparatus, method, storage medium, and program connected to another terminal through a communication network, comprising: an interception step of intercepting, between a process and an operating system, an operation request for a computer resource managed by the other terminal, which is issued toward the operation system from the process, and a reception step of receiving a reply to the operation request. Hunnicutt et al teaches of the server communicating with other servers and clients using a standard communications protocol (column 3, lines 37-39, figure 1). It fails to teach of an interception step of trapping a request between a process and an operating system for a computer resource managed by the operating system. Pereira teaches of an access control, which intercepts a request for a directory or a port before determining whether to grant access (column 10, lines 5-10).

Hunnicut et al and Pereira are analogous art because they are both related to providing access to computer resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the interception in Pereira with the system in Hunnicutt et al

because a user is limited to a set of resources and the user is not informed of the resources not available (column 3, lines 45-55).

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunnicutt et al (US Patent #5,889,952) in view of Pereira (US Patent #5,809,230) as applied to claim 28 above, and further in view of New, JR. et al (US PG PUB #US2003/0028653).

Claim 30 discloses the program according to claim 28, wherein if it is determined in the determination step that no access right is present, and access is denied in the denial step, an access right is permitted by charging. Hunnicutt et al in view of Pereira teaches of the limitations of claim 28 as recited above. It fails to teach of granting access rights by charging the requester. New JR. et al teaches of billing the user if the requester has insufficient credit (figure 4).

Hunnicutt et al in view of Pereira and New JR. et al are analogous art because they are both related to providing access to computer resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the traps in New JR. et al with the system in Hunnicutt et al in view of Pereira because the system provides added security by preventing unauthorized copies of programs (New JR. et al, paragraph 33, lines 8-13).

Claims 5, 7-9, 14, 16-18, 23, and 25-27 rejected under 35 U.S.C. 103(a) as being unpatentable over Hunnicutt et al (US Patent #5,889,952) in view of Pereira (US Patent #5,809,230) as applied to claims 1, 10, and 19 above, and further in view of Miller et al (US Patent #5,550,968).

Claims 5, 14, and 23 disclose the method, apparatus, and storage medium according to claims 1, 10, and 19, wherein in said determination step, includes determining whether the access right is present by determining whether the access right can be acquired. Hunnicutt et al in view of Pereira teaches of the limitations of claims 1, 10, and 19, as recited above. It fails to teach of determining whether the access right can be acquired. Miller et al teaches of a technique when the password is entered and correct then it is determined that access can be acquired and then security control provides access to the user (column 8, lines 61-65, figure 5B).

Hunnicutt et al in view of Pereira and Miller et al are analogous art because they are both related to providing access control to resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the technique in Miller et al with the system in Hunnicutt et al in view of Pereira because security is provided while using relatively small amounts of computer memory (Miller et al, column 2, lines 23-25)

Claims 7, 16, and 25 disclose the method, apparatus, and storage medium according to claims 1, 10, and 19, wherein in said denial step, an access denial error message is returned to the process without any access to the requested computer resource. Hunnicutt et al in view of Pereira teaches of the limitations of claims 1, 10, and 19, as recited above. It fails to teach of returning a denial error message. Miller et al teaches of informing the user of an incorrect password (column 9, lines 32-38, figure 5B).

Hunnicut et al in view of Pereira and Miller et al are analogous art because they are both related to providing access control to resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the incorrect password technique in Miller et al with the system in Hunnicutt et al in view of Pereira because security is provided for individual controls within a window of an interface (Miller et al, column 2, lines 8-10).

Claims 8, 17, and 26 disclose the method, apparatus, and storage medium according to claims 1, 10, and 19, wherein in the denial step, a successful access message is returned to the request source process without any access to the requested computer resource. Hunnicutt et al in view of Pereira teaches of the limitations of claims 1, 10, and 19 as recited above. It fails to teach of returning a success message without access to the request resource. Miller et al teaches of returning a window, as a user would see if access was successful, but with the controls obscured when access is denied (column 9, lines 41-44).

Hunnicut et al in view of Pereira and Miller et al are analogous art because they are both related to providing access control to resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the incorrect password technique in Miller et al with the system in Hunnicutt et al in view of Pereira because security is provided for individual controls within a window of an interface (Miller et al, column 2, lines 8-10).

Claims 9, 18, and 27 disclose the method according to claims 1, 10, and 19; wherein in said denial step, the operation request is converted into an operation request

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for a dummy computer resource and transferred to the operating system, and a result from the operating system is returned to the process. Hunnicutt et al in view of Pereira teaches of the limitations of claims 1, 10, and 19, as recited above. It fails to teach of converting the actual request into a request for a dummy resource and returning a result from the operating system. Miller et al teaches of a system which returns to a step if the password entry subroutine is ended and displays the window as a user would see if the access was granted but with some fields obscured to the user (column 9, lines 41-44).

Hunnicutt et al in view of Pereira and Miller et al are analogous art because they are both related to providing access control to resources.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the incorrect password technique in Miller et al with the system in Hunnicutt et al in view of Pereira because security is provided for individual controls within a window of an interface (Miller et al, column 2, lines 8-10).

Response to Arguments

Applicant's arguments with respect to claims 1, 10, 19, and 28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Glasser et al (US Patent #5,956,715) teaches of controlling user access to a resource in a networked computing environment. Glasser et al (US Patent #6,308,173) teaches of controlling resource access in a network-computing

environment. Natsuno et al (US PGPUB 2003/0018918) teaches of an authentication system for controlling users access to desired sites.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Gillis whose telephone number is 571-272-7952. The examiner can normally be reached on M-F 7:30-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian J Gillis
Examiner
Art Unit 2141

BJG


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER